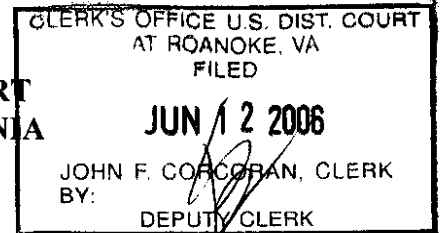


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



JOSE DOMINGUEZ MENAS,  
Petitioner,

v.

TERRY O'BRIEN, WARDEN,  
Respondent.

Civil Action No. 7:06CV00026

**FINAL ORDER ADOPTING REPORT  
AND RECOMMENDATION**

By: Samuel G. Wilson  
United States District Judge

Jose Dominguez Menas brings this suit pursuant to 28 U.S.C. § 2241, challenging disciplinary action taken against him by the Bureau of Prisons (BOP). Respondents filed a motion to dismiss, and the court referred the matter to United States Magistrate Judge Michael F. Urbanski pursuant to 28 U.S.C. 636(b)(1)(B) for a report and recommendation. The Magistrate Judge filed a report and recommendation, recommending dismissal. Neither party filed objections.

The court has reviewed the Magistrate Judge's report and pertinent portions of the record, and it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's report be **ADOPTED** in its entirety, that the respondents' motion to dismiss be **GRANTED**, and that Menas' suit be **DISMISSED** and **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this order to the plaintiff and to counsel for the defendants.

ENTER: This 12<sup>th</sup> day of June, 2006.

  
UNITED STATES DISTRICT JUDGE